

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to application for firefighter plates

The Department of Transportation hereby amends Chapter 401, “Special Registration Plates,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 307.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 321.34.

Purpose and Summary

The amendment to Chapter 401 revises the process by which a member of a fire department applies for firefighter license plates in order to allow the applicant to submit an application with the required signatures, without requiring those signatures to be original and notarized. Iowa Code section 321.34(10) allows a current or retired member of a paid or volunteer fire department to order special registration license plates which signify that the applicant is a current or retired member of a fire department. The Department established the application process for special registration plates in administrative rules, and currently, subrule 401.9(1) provides that an application for firefighter license plates must contain the original, notarized signatures of the fire chief and another fire officer certifying that the applicant is a current or retired member of the fire department.

The Department recognizes, after consultation with the Iowa Firefighters Association, that the requirement to have the signatures of the fire chief and another fire officer be original and notarized for each application can be an administrative burden, especially for very large fire departments with a large number of applicants, as well as for smaller fire departments that may not always have a notary public available. Removing the requirement that the signatures on the application be original and notarized does not in any way diminish the authenticity of the application, as the application is still being signed and certified by not only the chief of the fire department but also another fire officer. Rather, the amendment reduces the administrative burden of having a notary public available any time an application is being signed and allows applications to be submitted electronically, which will further streamline the application process.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 16, 2019, as **ARC 4232C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on February 20, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person's circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 17, 2019.

The following rule-making action is adopted:

Amend subrule 401.9(1) as follows:

401.9(1) *Initial application for firefighter plates.* Application for firefighter plates shall be submitted to the department ~~on a form~~ in a manner prescribed by the department. Both the fire chief and another fire officer of the paid or volunteer fire department shall sign the application ~~form~~, certifying that the applicant is a current or retired member of the fire department. ~~The signatures must be original and notarized.~~ If the fire chief and fire officer deny an application, the department may conduct an investigation and make a determination to approve or deny the application.

[Filed 2/20/19, effective 4/17/19]

[Published 3/13/19]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/13/19.